

1 ROB BONTA
Attorney General of California
2 MYUNG J. PARK
Supervising Deputy Attorney General
3 CECILIA D. SEGAL, State Bar No. 310935
KATHERINE GAUMOND, State Bar No. 349453
4 CAITLAN MCLOON, State Bar No. 302798
EMMANUELLE S. SOICHET, State Bar No. 290754
5 M. ELAINE MECKENSTOCK, State Bar No. 268861
Deputy Attorney General
6 1515 Clay Street, 20th Floor
P.O. Box 70550
7 Oakland, CA 94612-0550
Telephone: (510) 879-0299
8 Fax: (510) 622-2270
E-mail: Elaine.Meckenstock@doj.ca.gov
9 *Attorneys for Plaintiff State of California*
(additional counsel on signature pages)

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12

13
14 **STATE OF CALIFORNIA, STATE OF**
COLORADO, STATE OF DELAWARE,
15 **COMMONWEALTH OF**
MASSACHUSETTS, STATE OF NEW
16 **JERSEY, STATE OF NEW MEXICO,**
STATE OF NEW YORK, STATE OF
17 **OREGON, STATE OF RHODE ISLAND,**
STATE OF VERMONT, and STATE OF
18 **WASHINGTON,**

19 Plaintiffs,

20 v.

21 **UNITED STATES OF AMERICA, U.S.**
22 **ENVIRONMENTAL PROTECTION**
23 **AGENCY, LEE ZELDIN**, in his official
capacity as Administrator of the U.S.
Environmental Protection Agency, and
24 **DONALD J. TRUMP**, in his official capacity
as President of the United States,
25

26 Defendants.
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Case No. 4:25-cv-04966-HSG

PLAINTIFFS' OPPOSITION TO U.S.
CHAMBER OF COMMERCE'S
MOTION FOR LEAVE TO FILE BRIEF
OF AMICUS CURIAE IN SUPPORT OF
MOTION TO DISMISS

Date: Nov. 20, 2025
Time: 2:00 p.m.
Judge: Hon. Haywood S. Gilliam, Jr.

Action filed: June 12, 2025

1 Plaintiffs State of California et al. (“Plaintiff States”) respectfully submit this opposition to
 2 Proposed Amicus Curiae Chamber of Commerce of the United States of America’s (“Amicus”) Motion for Leave to File Brief of Amicus Curiae In Support of Motion to Dismiss filed on
 3 September 26, 2025 (“Motion”). ECF No. 141.

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 5 In its Motion, Amicus seeks leave of this Court to file a brief supporting the pending
 6 motion to dismiss filed by Defendants United States et al. on September 19, 2025 (ECF No. 118).
 7 ECF No. 141. However, Plaintiff States have notified the Court and parties of their intention to
 8 file an amended complaint as of right under Federal Rule of Civil Procedure 15(a)(1)(B). ECF
 9 No. 151. The amended complaint will supersede the original complaint and therefore render the
 10 pending motion to dismiss moot. *Ramirez v. Cnty. of San Bernardino*, 806 F.3d 1002, 1008 (9th
 11 Cir. 2015); *Reckstin Fam. Tr. v. C3.ai, Inc.*, No. 22-CV-01413-HSG, 2025 WL 490470, at *1
 12 (N.D. Cal. Feb. 13, 2025); *see* ECF No. 151. Because the underlying motion to dismiss that
 13 Amicus seeks to support is moot, so is Amicus’s request and it should be denied without a
 14 hearing.

15 For these reasons, Plaintiff States oppose Amicus’s Motion.

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 17 Dated: October 10, 2025

Respectfully submitted,

18 ROB BONTA
 19 Attorney General of California
 20 MYUNG J. PARK
 Supervising Deputy Attorney General

21
 22 /s/ M. Elaine Meckenstock
 M. ELAINE MECKENSTOCK
 23 Deputy Attorney General
 Attorneys for Plaintiff State of California

24
 25 (Additional signatures below)
 26
 27
 28

PHILIP J. WEISER

Attorney General for the State of Colorado

/s/ Carrie Noteboom

CARRIE NOTEBOOM

Assistant Deputy Attorney General

1300 Broadway, 10th Floor

Denver, CO 80203

(720) 508-6285

Carrie.noteboom@coag.gov

MATTHEW J. PLATKIN

Attorney General for the State of New Jersey

/s/ Lisa J. Morelli

LISA J. MORELLI

Deputy Attorney General

New Jersey Division of Law

25 Market Street

Trenton, New Jersey 08625

(609) 376-2740

Lisa.Morelli@law.njoag.gov

KATHLEEN JENNINGS

Attorney General for the State of Delaware

By: /s/ Vanessa L. Kassab

IAN R. LISTON

Director of Impact Litigation

RALPH K. DURSTEIN III

VANESSA L. KASSAB

Deputy Attorneys General

Delaware Department of Justice

820 N. French Street

Wilmington, DE 19801

(302) 683-8899

vanessa.kassab@delaware.gov

RAÚL TORREZ

Attorney General for the State of New Mexico

/s/ William Grantham

WILLIAM GRANTHAM

Assistant Attorney General

408 Galisteo Street

Santa Fe, New Mexico 87501

(505) 717-3520

wgrantham@nm DOJ.gov

ANDREA JOY CAMPBELL

Attorney General for the Commonwealth of Massachusetts

/s/ Seth Schofield

SETH SCHOFIELD

Senior Appellate Counsel

JON WHITNEY

Special Assistant Attorney General

Energy and Environment Bureau

Office of the Attorney General

One Ashburton Place, 18th Flr.

Boston, Mass. 02108

(617) 727-2200

seth.schofield@mass.gov

jon.whitney@mass.gov

LETITIA JAMES

Attorney General for the State of New York

/s/ Ashley M. Gregor

ASHLEY M. GREGOR

Assistant Attorney General

Environmental Protection Bureau

28 Liberty Street, 19th Floor

New York, NY 10005

(212) 416-8454

ashley.gregor@ag.ny.gov

DAN RAYFIELD

Attorney General for the State of Oregon

/s/ Paul Garrahan

PAUL GARRAHAN

Sr. Assistant Attorney General

Oregon Department of Justice

1162 Court Street NE

Salem, Oregon 97301-4096

(503) 947-4540

Paul.Garrahan@doj.oregon.gov

CHARITY R. CLARK

Attorney General for the State of Vermont

/s/ Hannah Yindra

HANNAH YINDRA

Assistant Attorney General

Office of the Attorney General

109 State Street

Montpelier, VT 05609

(802) 828-3186

Hannah.Yindra@vermont.gov

PETER F. NERONHA

Attorney General for the State of Rhode Island

/s/ Nicholas M. Vaz

NICHOLAS M. VAZ

Special Assistant Attorney General

Office of the Attorney General

Chief, Environmental and Energy Unit

150 South Main Street

Providence, Rhode Island 02903

(401) 274-4400 ext. 2297

nvaz@riag.ri.gov

NICHOLAS W. BROWN

Attorney General for the State of Washington

/s/ Alexandria Doolittle

ALEXANDRIA K. DOOLITTLE

Assistant Attorney General

Office of the Attorney General

P.O. Box 40117

Olympia, Washington 98504-0117

(360) 586-6769

Alex.Doolittle@atg.wa.gov

Pursuant to Local Rule 5-1(i), I attest that all signatories to this document concurred in its filing.

/s/ M. Elaine Meckenstock

M. Elaine Meckenstock

Counsel for Plaintiff State of California